

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

VICTOR TETTEH RUFUS DJANGMAH,

Petitioner,

v.

TISH CASTILLO,

Respondent.

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Civil Action No. 16-6966 (JMV)

OPINION

VAZQUEZ, United States District Judge

On October 12, 2016, the United States District Court, Southern District of New York transferred to this Court Victor Djangmah’s Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 (ECF No. 1), challenging his prolonged detention by U.S. Immigration and Customs Enforcement (“ICE”). On January 27, 2017, this Court ordered Respondent to answer the petition. (ECF No. 10.) Respondent submitted the Declaration of John J. Carey, ICE Deportation Officer, stating that Petitioner was removed from the United States to Ghana on November 1, 2016. (ECF No. 12-1.) Respondent contends the habeas petition is moot. (ECF No. 12.)

A habeas petition “generally becomes moot when [a petitioner] is released from custody” because there is no longer “an actual injury traceable to the defendant and likely to be redressed by a favorable judicial decision.” *Vasquez v. Aviles*, 639 F. App’x 898, 902 (3d Cir. 2016) (quoting *DeFoy v. McCullough*, 393 F.3d 439, 442 (3d Cir. 2005)). The present petition no longer presents a case or controversy under Article III, § 2 of the United States Constitution because Petitioner is no longer detained by ICE. *See id.* (finding petition moot where there were no collateral consequences that could be addressed by success on the petition after removal) (citing

Abdala v. I.N.S., 488 F.3d 1061, 1064 (9th Cir. 2007)). Therefore, the petition is dismissed as moot.

An appropriate Order follows.

Date: March 1, 2017
At Newark, New Jersey

s/ John Michael Vazquez
JOHN MICHAEL VAZQUEZ
United States District Judge